

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STONEE LEE SCHAEFFER,)	
)	Civil Action No. 07 - 825
Plaintiff,)	
)	Judge Arthur J. Schwab /
v.)	Magistrate Judge Lisa Pupo
)	Lenihan
HARRY E. WILSON, Facility Superintendent;)	
TIMOTHY CROSS, State Police Supervisor;)	
NANCY D. VERNON, District Attorney,)	
Defendants.)	

ORDER

The above captioned case was initiated by the filing of a Motion to Proceed In Forma Pauperis (doc. no. 1) on June 18, 2007, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (doc. no. 5), filed on July 9, 2007, recommended that Plaintiff's Complaint be dismissed because it was filed outside the two-year limitations period. Plaintiff was served with the Report and Recommendation at SCI-Forest and was advised that he was allowed until July 26, 2007 to file written objections. No objections have been filed. After review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following order is entered:

AND NOW, this 6th day of August, 2007;

IT IS HEREBY ORDERED that Plaintiff's Complaint is **DISMISSED** because it was filed outside the two-year limitations period.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 5) of Magistrate Judge Lenihan dated July 9, 2007, is adopted as the opinion of the court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

s/Arthur J. Schwab

Arthur J. Schwab

United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

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